

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**SQN CAPITAL MANAGEMENT, LLC,**

**Plaintiff,**

**Case No. 2:19-cv-1268**

**Judge Michael H. Watson**

**Magistrate Judge Kimberly A. Jolson**

**v.**

**ST HOLDINGS TOPCO, LLC,  
et al.,**

**Defendants.**

**ORDER**

This matter is before the Court on Defendants’ Motion for Extension of Time (Doc. 7). Defendants were served with the Complaint “on or around April 10, 2019.” (*Id.* at 3). Their current deadline to move, plead, or otherwise respond to the Complaint is May 1, 2019. Defendants request an additional 21 days to move, plead, or otherwise respond to the Complaint because counsel “was recently engaged” and Defendant Seale A. Moorner, Jr. “is currently out of the Country, and Counsel has not had an opportunity to meet with Defendants for that reason.” (*Id.*).

Plaintiff responds that, “[u]nder ordinary circumstances, Plaintiff and its counsel would typically agree to Defendants’ requested extension of time for answering the complaint. However, this matter is not typical, for a number of reasons.” (Doc. 8). First, Plaintiff expresses concern “that any delay in this action will result in an irremediable dissipation of assets available for satisfaction of the judgment.” (*Id.* at 1). According to Plaintiff, “Defendants are involved in a number of other suits, their related companies are in bankruptcy, and” Defendant Moorner has left

the country. (*Id.*). Second, Plaintiff represents that Defendant Moorero's prior behavior suggests that the request for extension is mean to delay this matter. (*Id.* at 2).

The Complaint is five pages long and is not factually complex. Under the circumstances of this case, the Court finds that a seven-day extension of the deadline to move, plead, or otherwise respond to the Complaint is appropriate. Therefore, the Motion is **GRANTED in part and DENIED in part**. Defendants shall move, plead, or otherwise respond to the Complaint on or before May 8, 2019.

IT IS SO ORDERED.

Date: April 29, 2019

/s/ Kimberly A. Jolson  
KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE